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6 Counsel for Defendant MOORE

7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) No. CR-09-707 JSW
11)
Plaintiff,) STIPULATION AND ~~PROPOSED~~
12) ORDER TO CONTINUE HEARING
v.)
13) **CURRENT HEARING DATE:** April 22,
GARY MOORE,) 2010, at 2:30 p.m.
14)
Defendant.) **PROPOSED HEARING DATE:** May 27,
15) 2010, at 2:30 p.m.
16)

17 1. Mr. Moore is currently scheduled to enter a plea and be sentenced on April 22,
18 2010. The parties come before the Court stipulating to continue the hearing to May 27.

19 2. It recently came to defense counsel's attention that Mr. Moore has a medical
20 history that may serve as a mitigating factor at his sentencing.

21 3. Defense counsel has requested Mr. Moore's medical documents but has only
22 received some of them. Though regular calls are being made to ensure speedy delivery, there is
23 no estimate on when they will be provided.

24 4. Mr. Moore believes that the medical documents must be reviewed prior to
25 sentencing in order to give the Court a full and accurate view of his past and to ensure that all
26 mitigating evidence is presented. Continuing the sentencing hearing will allow defense counsel

1 to receive and review the records as well as conduct any further investigation that may arise as a
2 result of what is contained in the records.

3 5. Neither government counsel nor the probation officer have any objection to
4 continuing the sentencing to May 27.

5 6. Mr. Moore agrees that the time from April 22, 2010, to May 27, 2010, should be
6 excluded under the Speedy Trial Act for effective preparation of counsel.

7
8 IT IS SO STIPULATED.

9 March 15, 2010

/s/

10 DATED

RITA BOSWORTH
Assistant Federal Public Defender

11
12
13 March 15, 2010

/s/

14 DATED

CHRISTINE WONG
Assistant United States Attorney

15
16 IT IS SO ORDERED.

17
18 March 16, 2010

DATED


JEFFREY S. WHITE
United States District Judge